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CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

IN THE MATTER OF THE  
COMPLAINT OF BLUE  
DOLPHIN CHARTERS, LTD.  
AND TERRY DONNELLY, AS  
OWNERS OF THE VESSEL  
M/V BLUE DOLPHIN, O/N  
1082213, FOR EXONERATION  
FROM AND/OR LIMITATION  
OF LIABILITY

) EX PARTE APPLICATION FOR  
) PRO HAC VICE ADMISSION FOR  
) STEVEN M. MCGUIRE TO APPEAR IN  
) A SPECIFIC MATTER PURSUANT TO  
) LOCAL RULE 83.1(e); DECLARATIONS  
) OF STEVEN M. MCGUIRE AND  
) RICHARD A. LESSER; ORDER  
) THEREON




**EX PARTE APPLICATION FOR PRO HAC VICE ADMISSION  
FOR STEVEN M. MCGUIRE TO APPEAR IN A  
SPECIFIC MATTER PURSUANT TO LOCAL RULE 83.1(e)**

Pursuant to LR 83.1(e) of the Local Rules of Practice for the United States District Court for the State of Hawaii, Steven M. McGuire of Lesser & Associates, PLC, respectfully applies for admission pro hac vice and requests that he be permitted to appear and participate in this action as counsel for Claimants/ Respondents and Plaintiffs MATTHEW ISHAM, individually and as Guardian ad Litem for, HAYDEN ISHAM, a minor and ROXANNE BEST ISHAM (“Claimants/Respondents and Plaintiffs”).

Richard A. Lesser of the law firm of Lesser & Associates, PLC, will be lead counsel for Claimants/Respondents and Plaintiffs in this action, and will participate meaningful in the preparation and trial of this case, with all concomitant authority and responsibility as attorney of record for Claimants/Respondents and Plaintiffs.

This application is made in accordance with LR 83.1(e) and is based on the Declarations of Richard A. Lesser and Steven M. McGuire, attached hereto.

Dated: Redondo Beach, California, December 21, 2005.

  
\_\_\_\_\_  
RICHARD LESSER  
LESSER & ASSOCIATES, PLC  
Attorneys for Claimants/Respondents  
and Plaintiffs MATTHEW ISHAM, individually  
and as Guardian ad Litem for, HAYDEN ISHAM,  
a minor and ROXANNE BEST ISHAM

**Richard A. Lesser - #5832**  
**LESSER & ASSOCIATES**  
**A Professional Law Corporation**  
**1 Pearl Street**  
**Redondo Beach, CA 90277**  
**Telephone: (310) 374-4808**  
**Facsimile: (310) 372-7715**  
**Email: [lesser@divelaw.com](mailto:lesser@divelaw.com)**

Attorneys for Claimants/Respondents and Plaintiffs MATTHEW ISHAM, individually and as Guardian ad Litem for, HAYDEN ISHAM, a minor and ROXANNE BEST ISHAM

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

[illegible]



**DECLARATION OF STEVEN M. McGUIRE**


I, Steven M. McGuire, declare:

1. I am an attorney duly licensed to practice law in California. My California State Bar Number is 230484. I make this declaration based upon my own personal knowledge and if called as a witness, I could and would competently testify to the following:
2. I do not currently reside in the State of Hawaii.
3. I am not regularly employed in the State of Hawaii.
4. I do not regularly engage in business, professional or law-related activities in the State of Hawaii.
5. My residence address is 2005 Farrell Avenue #9, Redondo Beach, California, 90277; my business address is Lesser & Associates, 1 Pearl Street, Redondo Beach, California, 90277, telephone (310)374-4808.
6. I am admitted to practice before all the courts of the State of California and the United States District Court for the Central District of California. I was admitted to practice before all these courts in 2004. I am an attorney in good standing in all courts in which I am admitted to practice and with the State Bar of California. I am not currently suspended or disbarred from practice in any court. I have appeared in one case in the State of Hawaii, White v. Sabatino, et al., Case No. 04-0050.
7. Richard A. Lesser of Lesser & Associates, Hawaii State Bar No. 5832, has agreed to sponsor my appearance *pro hac vice* before

this Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of December, 2005, at Redondo Beach, California.

  
\_\_\_\_\_  
Steven M. McGuire

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Attorneys for Claimants/Respondents and Plaintiffs MATTHEW ISHAM, individually and as Guardian ad Litem for, HAYDEN ISHAM, a minor and ROXANNE BEST ISHAM

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

[illegible]



MATTHEW ISHAM,  
individually and as Guardian Ad  
Litem for HAYDEN ISHAM, a  
minor; ROXANNE BEST  
ISHAM,

Plaintiffs,

VS.

BLUE DOLPHIN CHARTERS,  
LTD. and BLUE DOLPHIN  
DIVING, LTD., CAPTAIN  
ANDY'S SAILING, INC.,  
DOES 1 - 50,

Defendants.

CIVIL NO.: CV 04 00559 HG-BMK

DENNIS CLAYPOOL,  
individually and as Guardian ad  
Litem for KRISTEN  
CLAYPOOL, a minor, SHERYL  
CLAYPOOL, SCOTT  
CLAYPOOL, AND KRISTEN  
CLAYPOOL,

Plaintiffs,

VS.

CAPTAIN ANDY'S SAILING,  
INC., BLUE DOLPHIN  
CHARTERS, LTD. And BLUE  
DOLPHIN DIVING, LTD.,

Defendants.

CIVIL NO.: CV 04 00570 HG-BMK

**DECLARATION OF RICHARD A. LESSER**

I, Richard A. Lesser, declare:

1. I am an attorney duly licensed to practice law in the Courts of the State of Hawaii and before this Honorable Court. My Hawaii State Bar number is 5832. I make this declaration based upon my own personal knowledge and if called as a witness, I could and would competently testify to the following:
2. I have agreed to sponsor applicant Steven M. McGuire to appear *pro hac vice* in the present action Case No. CV05-00037 HG-BMK and the consolidated Case No.'s CV 04 00559 HG-BMK and CV 04 00570 HG-BMK and recognize my obligations regarding my sponsorship of Steven M. McGuire pursuant to Local Rules 83.1(e).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 21 day of December, 2005 at Redondo Beach, California.

  
\_\_\_\_\_  
Richard A. Lesser

Richard A. Lesser - #5832  
LESSER & ASSOCIATES  
A Professional Law Corporation  
1 Pearl Street  
Redondo Beach, CA 90277  
Telephone: (310) 374-4808  
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Email: [lesser@divelaw.com](mailto:lesser@divelaw.com)

Attorneys for Claimants/Respondents and Plaintiffs MATTHEW ISHAM, individually and as Guardian ad Litem for, HAYDEN ISHAM, a minor and ROXANNE BEST ISHAM

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

IN THE MATTER OF THE	)	Civil NO. CV05-00037 HG-BMK
COMPLAINT OF BLUE	)	[3 Consolidated Cases]
DOLPHIN CHARTERS, LTD.	)	
AND TERRY DONNELLY, AS	)	ORDER GRANTING APPLICATION
OWNERS OF THE VESSEL	)	FOR THE ADMISSION OF
M/V BLUE DOLPHIN, O/N	)	STEVEN M. McGUIRE TO APPEAR IN
1082213, FOR EXONERATION	)	A SPECIFIC MATTER
FROM AND/OR LIMITATION	)	<i>PRO HAC VICE</i> PURSUANT TO LOCAL
OF LIABILITY	)	RULES 83.1(e)

MATTHEW ISHAM,  
individually and as Guardian Ad  
Litem for HAYDEN ISHAM, a  
minor; ROXANNE BEST  
ISHAM,

Plaintiffs,

VS.

BLUE DOLPHIN CHARTERS,  
LTD. and BLUE DOLPHIN  
DIVING, LTD., CAPTAIN  
ANDY'S SAILING, INC.,  
DOES 1 - 50,

Defendants.

CIVIL NO.: CV 04 00559 HG-BMK

DENNIS CLAYPOOL,  
individually and as Guardian ad  
Litem for KRISTEN  
CLAYPOOL, a minor, SHERYL  
CLAYPOOL, SCOTT  
CLAYPOOL, AND KRISTEN  
CLAYPOOL,

Plaintiffs,

VS.

CAPTAIN ANDY'S SAILING,  
INC., BLUE DOLPHIN  
CHARTERS, LTD. And BLUE  
DOLPHIN DIVING, LTD.,

Defendants.

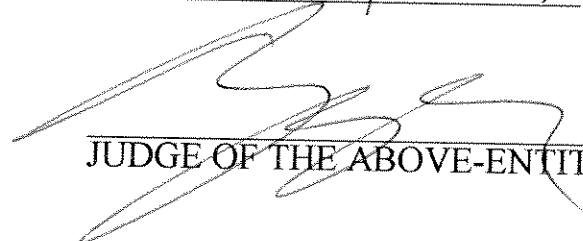
CIVIL NO.: CV 04 00570 HG-BMK

**ORDER GRANTING APPLICATION FOR THE ADMISSION OF  
STEVEN M. McGUIRE TO APPEAR IN A SPECIFIC MATTER  
PRO HAC VICE PURSUANT TO LOCAL RULES 83.1(e)**

The Court having considered the Application for an Order for Admission of Steven M. McGuire to Appear in a Specific Matter Pro Hac Vice Pursuant to Local Rule 83.1(e), and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Application of Steven M. McGuire for Admission Pro Hac Vice should be and is hereby granted.

DATED: Honolulu, Hawaii, 12.29.2005.

  
\_\_\_\_\_  
JUDGE OF THE ABOVE-ENTITLED COURT